

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-against-

ROBERT J. MUELLER, DEEPROOT FUNDS
LLC (a/k/a dprt Funds, LLC), AND POLICY
SERVICES INC.,

Defendants,

-and-

DEEPROOT TECH LLC, DEEPROOT
PINBALL LLC, DEEPROOT STUDIOS LLC,
DEEPROOT SPORTS & ENTERTAINMENT
LLC, DEEPROOT RE 12621 SILICON DR LLC,
AND ROBERT J. MUELLER, JEFFREY L.
MUELLER, AND BELINDA G. BREEN, AS CO-
TRUSTEES OF THE MB HALE OHANA
REVOCABLE TRUST,

Relief Defendants.

Civil Action No.: 5:21-cv-785-XR

**AGREED MOTION TO EXTEND THE DEADLINE TO FILE JOINT PRETRIAL
ORDER AND MOTIONS IN LIMINE**

TO THE HONORABLE COURT:

Defendant Robert J. Mueller (“**Mueller**”) and Plaintiff Securities and Exchange Commission (“**SEC**”) (together, the “**Parties**”), in accordance with Fed. R. Civ. P. 16(b)(4) and this Court’s General Pretrial Procedures, file this Agreed Motion to Extend the Deadline to File Joint Pretrial Order and Motions in Limine, as follows:

1. On October 24, 2023, the Court entered a Text Order resetting the Pretrial Conference to November 28, 2023.

2. On October 30, 2023, the Court entered a Text Order extending the deadline to submit the Joint Pretrial Order and any Motions in Limine to November 10, 2023.

3. Although the Parties have been diligently and cooperatively working to meet the November 10 deadline, lead counsel for Mueller, Mr. Jason Davis, became seriously ill this week and has not been able to recover. Due to this unforeseen illness, the Parties respectfully request a short extension from November 10, 2023 to November 15, 2023 to submit the Joint Pretrial Order and any Motions in Limine.

4. The Parties agree that good cause exists for this request in light of counsel's illness. Furthermore, the Joint Pretrial Order will be filed thirteen days in advance of the pretrial conference which is the same amount of days contemplated in the original scheduling order, ECF No. 102.

5. The Parties therefore respectfully request that the Court enter an order granting the extension and extending the deadline to submit the Joint Pretrial Order and any Motions in Limine to November 15, 2023.

Dated: November 9, 2023

Respectfully submitted,

DAVIS & SANTOS, PLLC

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***Counsel for Plaintiff Securities and
Exchange Commission***

CERTIFICATE OF SERVICE

I certify that on the 9th day of November 2023, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system and all counsel of record will receive an electronic copy via the Court's CM/ECF system.

/s/ Caroline Newman Small

Caroline Newman Small